

IN THE SENATE

SENATE BILL NO. 1378, As Amended

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO PUBLIC WRITINGS; AMENDING SECTION 9-340C, IDAHO CODE, TO REVISE
2 A PUBLIC RECORDS EXEMPTION, TO PROVIDE A PUBLIC RECORDS EXEMPTION AND
3 TO PROVIDE EXCEPTIONS; AMENDING TITLE 19, IDAHO CODE, BY THE ADDITION
4 OF A NEW CHAPTER 58, TITLE 19, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE
5 THAT THE DISCLOSURE OF THE RESIDENTIAL STREET AND TELEPHONE NUMBER
6 OF CERTAIN PERSONS IS PROHIBITED, TO PROVIDE EXCEPTIONS, TO PROVIDE
7 A PROCESS FOR REQUESTING ADDRESS CONFIDENTIALITY AND ELIGIBILITY
8 AND TO PROVIDE IMMUNITY FROM LIABILITY; AMENDING SECTION 49-306,
9 IDAHO CODE, TO REVISE REQUIREMENTS RELATING TO THE CONTENTS OF A
10 CERTAIN APPLICATION; AMENDING SECTION 49-315, IDAHO CODE, TO REVISE
11 REQUIREMENTS RELATING TO THE CONTENT OF A DRIVER'S LICENSE; AMENDING
12 SECTION 49-401B, IDAHO CODE, TO REVISE REQUIREMENTS RELATING TO THE
13 CONTENT OF A CERTAIN APPLICATION; AMENDING SECTION 49-504, IDAHO
14 CODE, TO REVISE REQUIREMENTS RELATING TO THE CONTENT OF A CERTAIN
15 APPLICATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION
16 49-2444, IDAHO CODE, TO REVISE REQUIREMENTS RELATING TO THE CONTENT OF
17 AN IDENTIFICATION CARD; AND PROVIDING AN EFFECTIVE DATE.
18

19 Be It Enacted by the Legislature of the State of Idaho:

20 SECTION 1. That Section 9-340C, Idaho Code, be, and the same is hereby
21 amended to read as follows:

22 9-340C. RECORDS EXEMPT FROM DISCLOSURE -- PERSONNEL RECORDS, PERSONAL
23 INFORMATION, HEALTH RECORDS, PROFESSIONAL DISCIPLINE. The following
24 records are exempt from disclosure:

25 (1) Except as provided in this subsection, all personnel records
26 of a current or former public official other than the public official's
27 public service or employment history, classification, pay grade and step,
28 longevity, gross salary and salary history, status, workplace and employing
29 agency. All other personnel information relating to a public employee
30 or applicant including, but not limited to, information regarding sex,
31 race, marital status, birth date, home address and telephone number,
32 applications, testing and scoring materials, grievances, correspondence
33 and performance evaluations, shall not be disclosed to the public without
34 the employee's or applicant's written consent. Names of applicants to
35 classified or merit system positions shall not be disclosed to the public
36 without the applicant's written consent. Disclosure of names as part of a
37 background check is permitted. Names of the five (5) final applicants to all
38 other positions shall be available to the public. If such group is less than
39 five (5) finalists, then the entire list of applicants shall be available to
40 the public. A public official or authorized representative may inspect and
41 copy his personnel records, except for material used to screen and test for
42 employment.

1 (2) Retired employees' and retired public officials' home addresses,
2 home telephone numbers and other financial and nonfinancial membership
3 records; active and inactive member financial and membership records
4 and mortgage portfolio loan documents maintained by the public employee
5 retirement system. Financial statements prepared by retirement system
6 staff, funding agents and custodians concerning the investment of assets
7 of the public employee retirement system of Idaho are not considered
8 confidential under this chapter.

9 (3) Information and records submitted to the Idaho state lottery
10 for the performance of background investigations of employees, lottery
11 retailers and major procurement contractors; audit records of lottery
12 retailers, vendors and major procurement contractors submitted to or
13 performed by the Idaho state lottery; validation and security tests of the
14 state lottery for lottery games; business records and information submitted
15 pursuant to sections 67-7412(8) and (9) and 67-7421(8) and (9), Idaho Code,
16 and such documents and information obtained and held for the purposes of
17 lottery security and investigative action as determined by lottery rules
18 unless the public interest in disclosure substantially outweighs the
19 private need for protection from public disclosure.

20 (4) Records of a personal nature as follows:

21 (a) Records of personal debt filed with a public agency or independent
22 public body corporate and politic pursuant to law;

23 (b) Personal bank records compiled by a public depositor for the
24 purpose of public funds transactions conducted pursuant to law;

25 (c) Records of ownership of financial obligations and instruments
26 of a public agency or independent public body corporate and politic,
27 such as bonds, compiled by the public agency or independent public body
28 corporate and politic pursuant to law;

29 (d) Records, with regard to the ownership of, or security interests in,
30 registered public obligations;

31 (e) Vital statistics records; and

32 (f) Military records as described in and pursuant to section 65-301,
33 Idaho Code.

34 (5) Information in an income or other tax return measured by items of
35 income or sales, which is gathered by a public agency for the purpose of
36 administering the tax, except such information to the extent disclosed in
37 a written decision of the tax commission pursuant to a taxpayer protest of
38 a deficiency determination by the tax commission, under the provisions of
39 section 63-3045B, Idaho Code.

40 (6) Records of a personal nature related directly or indirectly
41 to the application for and provision of statutory services rendered to
42 persons applying for public care for the elderly, indigent, or mentally or
43 physically handicapped, or participation in an environmental or a public
44 health study, provided the provisions of this subsection making records
45 exempt from disclosure shall not apply to the extent that such records or
46 information contained in those records are necessary for a background check
47 on an individual that is required by federal law regulating the sale of
48 firearms, guns or ammunition.

49 (7) Employment security information, except that a person may agree,
50 through written, informed consent, to waive the exemption so that a third

1 party may obtain information pertaining to the person, unless access to
2 the information by the person is restricted by subsection (3) (a), (3) (b)
3 or (3) (d) of section 9-342, Idaho Code. Notwithstanding the provisions of
4 section 9-342, Idaho Code, a person may not review identifying information
5 concerning an informant who reported to the department of labor a suspected
6 violation by the person of the employment security law, chapter 13, title 72,
7 Idaho Code, under an assurance of confidentiality. As used in this section
8 and in chapter 13, title 72, Idaho Code, "employment security information"
9 means any information descriptive of an identifiable person or persons that
10 is received by, recorded by, prepared by, furnished to or collected by the
11 department of labor or the industrial commission in the administration of
12 the employment security law.

13 (8) Any personal records, other than names, business addresses and
14 business phone numbers, such as parentage, race, religion, sex, height,
15 weight, tax identification and social security numbers, financial worth or
16 medical condition submitted to any public agency or independent public body
17 corporate and politic pursuant to a statutory requirement for licensing,
18 certification, permit or bonding.

19 (9) Unless otherwise provided by agency rule, information obtained
20 as part of an inquiry into a person's fitness to be granted or retain a
21 license, certificate, permit, privilege, commission or position, private
22 association peer review committee records authorized in title 54, Idaho
23 Code. Any agency which has records exempt from disclosure under the
24 provisions of this subsection shall annually make available a statistical
25 summary of the number and types of matters considered and their disposition.

26 (10) The records, findings, determinations and decisions of any
27 prelitigation screening panel formed under chapters 10 and 23, title 6,
28 Idaho Code.

29 (11) Complaints received by the board of medicine and investigations
30 and informal proceedings, including informal proceedings of any committee
31 of the board of medicine, pursuant to chapter 18, title 54, Idaho Code, and
32 rules adopted thereunder.

33 (12) Records of the department of health and welfare or a public health
34 district that identify a person infected with a reportable disease.

35 (13) Records of hospital care, medical records, including
36 prescriptions, drug orders, records or any other prescription information
37 that specifically identifies an individual patient, prescription records
38 maintained by the board of pharmacy under sections 37-2726 and 37-2730A,
39 Idaho Code, records of psychiatric care or treatment and professional
40 counseling records relating to an individual's condition, diagnosis, care
41 or treatment, provided the provisions of this subsection making records
42 exempt from disclosure shall not apply to the extent that such records or
43 information contained in those records are necessary for a background check
44 on an individual that is required by federal law regulating the sale of
45 firearms, guns or ammunition.

46 (14) Information collected pursuant to the directory of new hires act,
47 chapter 16, title 72, Idaho Code.

48 (15) Personal information contained in motor vehicle and driver records
49 that is exempt from disclosure under the provisions of chapter 2, title 49,
50 Idaho Code.

1 (16) Records of the financial status of prisoners pursuant to
2 subsection (2) of section 20-607, Idaho Code.

3 (17) Records of the Idaho state police or department of correction
4 received or maintained pursuant to section 19-5514, Idaho Code, relating to
5 DNA databases and databanks.

6 (18) Records of the department of health and welfare relating to a
7 survey, resurvey or complaint investigation of a licensed nursing facility
8 shall be exempt from disclosure. Such records shall, however, be subject
9 to disclosure as public records as soon as the facility in question has
10 received the report, and no later than the fourteenth day following the
11 date that department of health and welfare representatives officially exit
12 the facility pursuant to federal regulations. Provided however, that for
13 purposes of confidentiality, no record shall be released under this section
14 which specifically identifies any nursing facility resident.

15 (19) Records and information contained in the registry of immunizations
16 against childhood diseases maintained in the department of health and
17 welfare, including information disseminated to others from the registry by
18 the department of health and welfare.

19 (20) Records of the Idaho housing and finance association (IHFA)
20 relating to the following:

21 (a) Records containing personal financial, family, health or similar
22 personal information submitted to or otherwise obtained by the IHFA;

23 (b) Records submitted to or otherwise obtained by the IHFA with regard
24 to obtaining and servicing mortgage loans and all records relating to
25 the review, approval or rejection by the IHFA of said loans;

26 (c) Mortgage portfolio loan documents;

27 (d) Records of a current or former employee other than the employee's
28 duration of employment with the association, position held and location
29 of employment. This exemption from disclosure does not include the
30 contracts of employment or any remuneration, including reimbursement
31 of expenses, of the executive director, executive officers or
32 commissioners of the association. All other personnel information
33 relating to an association employee or applicant including, but not
34 limited to, information regarding sex, race, marital status, birth
35 date, home address and telephone number, applications, testing and
36 scoring materials, grievances, correspondence, retirement plan
37 information and performance evaluations, shall not be disclosed to
38 the public without the employee's or applicant's written consent.
39 An employee or authorized representative may inspect and copy that
40 employee's personnel records, except for material used to screen and
41 test for employment or material not subject to disclosure elsewhere in
42 the Idaho public records act.

43 (21) Records of the department of health and welfare related to child
44 support services in cases in which there is reasonable evidence of domestic
45 violence, as defined in chapter 63, title 39, Idaho Code, that can be used
46 to locate any individuals in the child support case except in response to a
47 court order.

48 (22) Records of the Idaho state bar lawyer assistance program pursuant
49 to chapter 49, title 54, Idaho Code, unless a participant in the program

1 authorizes the release pursuant to subsection (4) of section 54-4901, Idaho
2 Code.

3 (23) Records and information contained in the trauma registry created
4 by chapter 20, title 57, Idaho Code, together with any reports, analyses and
5 compilations created from such information and records.

6 (24) Records contained in the court files, or other records prepared as
7 part of proceedings for judicial authorization of sterilization procedures
8 pursuant to chapter 39, title 39, Idaho Code.

9 (25) The physical voter registration card on file in the county clerk's
10 office; however, a redacted copy of said card shall be made available
11 consistent with the requirements of this section. Information from the
12 voter registration card maintained in the statewide voter registration
13 database, including age, will be made available except for the voter's
14 driver's license number, date of birth and, upon a showing that the voter
15 comes within the provisions of subsection (28) of this section or upon
16 showing of good cause by the voter to the county clerk in consultation
17 with the county prosecuting attorney, the physical residence address of
18 the voter. For the purposes of this subsection good cause shall include
19 the protection of life and property and protection of victims of domestic
20 violence and similar crimes.

21 (26) File numbers, passwords and information in the files of the health
22 care directive registry maintained by the secretary of state under section
23 39-4515, Idaho Code, are confidential and shall not be disclosed to any
24 person other than to the person who executed the health care directive or the
25 revocation thereof and that person's legal representatives, to the person
26 who registered the health care directive or revocation thereof, and to
27 physicians, hospitals, medical personnel, nursing homes, and other persons
28 who have been granted file number and password access to the documents within
29 that specific file.

30 (27) Records in an address confidentiality program participant's
31 file as provided for in chapter 57, title 19, Idaho Code, other than the
32 address designated by the secretary of state, except under the following
33 circumstances:

34 (a) If requested by a law enforcement agency, to the law enforcement
35 agency; or

36 (b) If directed by a court order, to a person identified in the order.

37 (28) The Idaho residential street address and telephone number of an
38 eligible law enforcement officer and such officer's residing household
39 member(s) as provided for in chapter 58, title 19, Idaho Code, except under
40 the following circumstances:

41 (a) If directed by a court order, to a person identified in the court
42 order;

43 (b) If requested by a law enforcement agency, to the law enforcement
44 agency;

45 (c) If requested by a financial institution or title company for
46 business purposes, to the requesting financial institution or title
47 company; or

48 (d) If the law enforcement officer provides written permission for
49 disclosure of such information.

1 SECTION 2. That Title 19, Idaho Code, be, and the same is hereby amended
 2 by the addition thereto of a NEW CHAPTER, to be known and designated as
 3 Chapter 58, Title 19, Idaho Code, and to read as follows:

4 CHAPTER 58

5 ADDRESS CONFIDENTIALITY FOR LAW ENFORCEMENT OFFICERS

6 19-5801. DEFINITIONS. As used in this chapter:

7 (1) "Alternative Idaho mailing address" means the address of a law
 8 enforcement officer's employing entity.

9 (2) "Application" means a written form prescribed and made available
 10 by the Idaho peace officer standards and training council. Such application
 11 shall contain, at minimum, all of the following:

12 (a) A sworn statement by the law enforcement officer's employing entity
 13 that the applicant is in fact a law enforcement officer as defined in
 14 subsection (6) of this section;

15 (b) A sworn statement by the law enforcement officer that names
 16 such officer's residing household member(s), if any, as defined in
 17 subsection (11) of this section;

18 (c) The alternative Idaho mailing address as defined in subsection
 19 (1) of this section, and the telephone number or numbers where the law
 20 enforcement officer and such officer's residing household member(s)
 21 can be contacted by the public agency; and

22 (d) A sworn statement by the law enforcement officer that such officer
 23 knowingly and voluntarily designates his or her employing entity as
 24 agent for purposes of service of process and receipt of first class,
 25 certified or registered mail.

26 (3) "County detention officer" means an employee in a county jail who is
 27 responsible for the safety, care, protection and monitoring of county jail
 28 inmates.

29 (4) "Custodian" as defined in section 9-337, Idaho Code.

30 (5) "Federal officer" means a special agent or law enforcement officer
 31 who is a resident as defined in section 51-102, Idaho Code, employed by a
 32 federal agency and who is empowered to effect an arrest with or without a
 33 warrant for violations of the United States Code and who is authorized to
 34 carry firearms in the performance of duty.

35 (6) "Law enforcement officer" means any current federal officer, peace
 36 officer, parole officer, probation officer, correctional officer, county
 37 detention officer and any person who prosecutes criminal cases. The term
 38 "law enforcement officer" shall not include a person who holds an elected
 39 office.

40 (7) "Parole officer" means an employee of the Idaho department of
 41 correction who is charged with or whose duties include supervision of
 42 parolees.

43 (8) "Peace officer" means any employee of a police or law enforcement
 44 agency which is a part of or administered by the state or any political
 45 subdivision thereof and whose duties include and primarily consist of the
 46 prevention and detection of crime and the enforcement of penal, traffic or
 47 highway laws of this state or any political subdivision. "Peace officer"
 48 also means an employee of a police or law enforcement agency of a federally
 49 recognized Indian tribe who has satisfactorily completed the peace officer

1 standards and training academy and has been deputized by a sheriff of a
2 county or a chief of police of a city of the state of Idaho.

3 (9) "Probation officer" means an employee of the Idaho department of
4 correction or of the Idaho department of juvenile corrections who is charged
5 with or whose duties include supervision of probationers.

6 (10) "Public agency" as is defined in section 9-337, Idaho Code.

7 (11) "Residing household member(s)" means a law enforcement officer's
8 spouse and any child or children who currently reside at the same residential
9 street address as such officer.

10 19-5802. DISCLOSURE OF RESIDENTIAL STREET ADDRESS AND TELEPHONE
11 NUMBER PROHIBITED -- EXCEPTIONS. Notwithstanding any other provision of
12 state law, a public agency shall not disclose to any person or entity the
13 Idaho residential street address and telephone number of a law enforcement
14 officer and such officer's residing household member(s) upon submission of
15 an application and fee consistent with the provisions of section 19-5803,
16 Idaho Code, except under any of the following circumstances:

17 (1) If directed by a court order, to a person identified in the court
18 order;

19 (2) If requested by a law enforcement agency, to the law enforcement
20 agency;

21 (3) If requested by a financial institution or title company for
22 business purposes, to the requesting financial institution or title
23 company; or

24 (4) If the law enforcement officer provides written permission for
25 disclosure of such information.

26 19-5803. ADDRESS CONFIDENTIALITY -- ELIGIBILITY. (1) Law enforcement
27 officers desiring that their Idaho residential street address and telephone
28 number, and the Idaho residential street address and telephone number of
29 their residing household member(s) be exempt from disclosure pursuant to
30 this chapter and section 9-340C(28), Idaho Code, may submit an application
31 and a fee, if any, to the custodian of the public record that contains such
32 information. Upon receipt of an application and fee, the public agency shall
33 comply with the provisions of this chapter for a period of four (4) years.
34 Thereafter, law enforcement officers may renew the exemption by submitting
35 a new application and fee, if any. The public agency may establish a fee
36 schedule not to exceed the actual cost to the agency of complying with the
37 provisions of this chapter.

38 (2) Law enforcement officers may submit an application to a public
39 agency requesting that the public agency use an alternative Idaho mailing
40 address rather than the Idaho residential street address of any such officer
41 and of any such officer's residing household member(s) on all applications
42 and on all identification cards, licenses, certificates, permits, tags
43 and other similar documents that are issued to the officer or to such
44 officer's residing household member(s) by the public agency. A public
45 agency receiving such application shall comply with the request.

46 (3) A person shall cease to be eligible for an exemption under this
47 chapter if such person ceases to be a law enforcement officer or a residing
48 household member(s). Within thirty (30) days of such cessation, the person

1 shall notify, in writing, every public agency to which the person has made an
2 application stating that he or she is no longer eligible for such exemption.
3 If a law enforcement officer changes employment but is still eligible for
4 an exemption under this chapter, such law enforcement officer shall, within
5 thirty (30) days of changing employment, submit a new application to every
6 public agency to which such officer has made an application.

7 (4) Nothing in this chapter shall prevent a public agency from
8 obtaining the residential street address and telephone number of a
9 law enforcement officer and of any residing household member(s). A
10 law enforcement officer who has submitted an application pursuant to
11 the provisions of this chapter shall provide his or her current Idaho
12 residential street address to his or her employing entity.

13 19-5804. IMMUNITY FROM LIABILITY. Neither a public agency nor its
14 employees, while acting within the course and scope of their employment
15 and without malice or criminal intent, shall be liable under the Idaho tort
16 claims act, chapter 9, title 6, Idaho Code, for any injury resulting from the
17 release of confidential information under this chapter.

18 SECTION 3. That Section 49-306, Idaho Code, be, and the same is hereby
19 amended to read as follows:

20 49-306. APPLICATION FOR DRIVER'S LICENSE, INSTRUCTION PERMIT, OR
21 RESTRICTED SCHOOL ATTENDANCE DRIVING PERMIT. (1) Every application for any
22 instruction permit, restricted school attendance driving permit, or for a
23 driver's license shall be made upon a form furnished by the department and
24 shall be verified by the applicant before a person authorized to administer
25 oaths. Officers and employees of the department and sheriffs and their
26 deputies are authorized to administer the oaths without charge. Every
27 application for a permit, extension or driver's license shall be accompanied
28 by the following fee, none of which is refundable:

- 29 (a) Class A, B, C (4-year) license with endorsements --
- 30 age 21 years and older \$40.00
- 31 (b) Class A, B, C (3-year) license with endorsements --
- 32 age 18 to 21 years \$30.00
- 33 (c) Class A, B, C (1-year) license with endorsements --
- 34 age 20 years \$15.00
- 35 (d) Class D (3-year) license -- under age 18 years \$25.00
- 36 (e) Class D (3-year) license -- age 18 to 21 years \$25.00
- 37 (f) Class D (1-year) license -- age 17 years or age 20 years \$15.00
- 38 (g) Four-year Class D license -- age 21 years and older \$30.00
- 39 (h) Eight-year Class D license -- age 21 to 63 years \$55.00
- 40 (i) Class A, B, C instruction permit \$29.00
- 41 (j) Class D instruction permit or supervised instruction permit
- 42 \$15.00
- 43 (k) Duplicate driver's license or permit issued under
- 44 section 49-318, Idaho Code \$15.00
- 45 (l) Driver's license extension issued under section
- 46 49-319, Idaho Code \$10.00
- 47 (m) License classification change (upgrade) \$25.00
- 48 (n) Endorsement addition \$15.00

- 1 (o) Class A, B, C skills tests not more than\$70.00
- 2 (p) Class D skills test \$24.00
- 3 (q) Motorcycle endorsement skills test \$10.00
- 4 (r) Knowledge test \$ 3.00
- 5 (s) Seasonal driver's license \$39.00
- 6 (t) One time motorcycle "M" endorsement \$15.00
- 7 (u) Motorcycle endorsement instruction permit \$15.00
- 8 (v) Restricted driving permit or restricted school attendance
- 9 driving permit \$60.00

10 (2) Every application shall state the true and full name, date of birth,
 11 sex, declaration of Idaho residency, Idaho residence address and mailing
 12 address, if different, of the applicant, height, weight, hair color, and eye
 13 color, and the applicant's social security number as verified by the social
 14 security administration. If an applicant has submitted an application
 15 pursuant to the provisions of chapter 58, title 19, Idaho Code, then the
 16 applicant may state, in his or her application pursuant to this section, the
 17 applicant's alternative Idaho mailing address in place of his or her Idaho
 18 residence address and mailing address.

19 (a) The requirement that an applicant provide a social security number
 20 as verified by the social security administration shall apply only to
 21 applicants who have been assigned a social security number.

22 (b) An applicant who has not been assigned a social security number
 23 shall:

- 24 (i) Present written verification from the social security
- 25 administration that the applicant has not been assigned a social
- 26 security number; and
- 27 (ii) Submit a birth certificate, passport or other documentary
- 28 evidence issued by an entity other than a state or the United
- 29 States; and
- 30 (iii) Submit such proof as the department may require that the
- 31 applicant is lawfully present in the United States.

32 A driver's license or any instruction permit issued on and after January
 33 1, 1993, shall not contain an applicant's social security number.
 34 Applications on file shall be exempt from disclosure except as provided
 35 in sections 49-202, 49-203, 49-203A and 49-204, Idaho Code.

36 Every application for a class A, B or C license shall state where
 37 the applicant has been licensed for the preceding ten (10) years and
 38 all applications shall also state whether the applicant has previously
 39 been licensed as a driver, and if so, when and by what state or country,
 40 and whether a driver's license or privileges have ever been suspended,
 41 revoked, denied, disqualified, canceled or whether an application has
 42 ever been refused, and if so, the date of and reason for the suspension,
 43 revocation, denial, disqualification, cancellation or refusal and the
 44 applicant's oath that all information is correct as signified by the
 45 applicant's signature.

46 The applicant may be required to submit proof of identity acceptable
 47 to the examiner or the department and date of birth as set forth in a
 48 certified copy of his birth certificate when obtainable, or another
 49 document which provides satisfactory evidence of a person's date of
 50 birth acceptable to the examiner or the department.

1 (c) Individuals required to register in compliance with section 3
2 of the federal military selective service act, 50 U.S.C. App. 451 et
3 seq., as amended, shall be provided an opportunity to fulfill such
4 registration requirements in conjunction with an application for a
5 driver's license or instruction permit. Any registration information
6 so supplied shall be transmitted by the department to the selective
7 service system.

8 (3) Whenever an application is received from a person previously
9 licensed in another jurisdiction, the department shall request a copy of the
10 driver's record from the other jurisdiction and shall contact the national
11 driver register. When received, the driver's record from the previous
12 jurisdiction shall become a part of the driver's record in this state with
13 the same force and effect as though entered on the driver's record in this
14 state in the original instance.

15 (4) Whenever the department receives a request for a driver's record
16 from another licensing jurisdiction, the record shall be forwarded without
17 charge.

18 (5) The department shall contact and notify the commercial driver
19 license information system of the proposed application for a class A, B
20 or C driver's license to ensure identification of the person and to obtain
21 clearance to issue the license.

22 (6) When the fees required under this section are collected by a county
23 officer, they shall be paid over to the county treasurer not less often than
24 monthly, who shall immediately:

25 (a) Deposit an amount equal to five dollars (\$5.00) from each driver's
26 license except an eight-year class D license, or any class D instruction
27 permit application fees, application for a duplicate driver's license
28 or permit, classification change, seasonal driver's license and
29 additional endorsement, and ten dollars (\$10.00) from each eight-year
30 class D driver's license, in the current expense fund; and

31 (b) Deposit two dollars and fifty cents (\$2.50) from each motorcycle
32 endorsement and motorcycle endorsement instruction permit fee in the
33 current expense fund; and

34 (c) Deposit an amount equal to three dollars (\$3.00) from each fee for a
35 knowledge test in the current expense fund; and

36 (d) Deposit an amount equal to ten dollars (\$10.00) from each fee
37 for a motorcycle endorsement skills test in the current expense fund;
38 provided however, if a contractor administers the skills test he shall
39 be entitled to the ten dollar (\$10.00) fee; and

40 (e) Remit the remainder to the state treasurer; and

41 (f) Deposit seventeen dollars and fifty cents (\$17.50) from each fee
42 for a class D skills test into the county current expense fund, unless
43 the test is administered by a department-approved contractor, in which
44 case the contractor shall be entitled to seventeen dollars and fifty
45 cents (\$17.50) of each fee.

46 (7) When the fees required under this section are collected by a state
47 officer or agency, they shall be paid over to the state treasurer.

48 (8) The state treasurer shall distribute the moneys received from fees
49 imposed by the provisions of this section, whether collected by a county
50 officer or by a state officer or agency as follows:

1 (a) Two dollars (\$2.00) of each fee for a four-year driver's license
2 or seasonal driver's license, and four dollars (\$4.00) of each fee
3 for an eight-year class D driver's license, and one dollar and fifty
4 cents (\$1.50) of each fee charged for driver's licenses pursuant to
5 subsections (1) (b), (d) and (e) of this section, and fifty cents (50¢)
6 of each fee charged for driver's licenses pursuant to subsections
7 (1) (c) and (f) of this section, shall be deposited in the emergency
8 medical services fund II created in section 56-1018A, Idaho Code,
9 and four dollars (\$4.00) of each fee charged pursuant to subsections
10 (1) (a), (g) and (s) of this section and eight dollars (\$8.00) of each fee
11 charged pursuant to subsection (1) (h) of this section and three dollars
12 (\$3.00) of each fee for driver's licenses pursuant to subsections
13 (1) (b), (d) and (e) of this section, and one dollar (\$1.00) of each fee
14 charged for driver's licenses pursuant to subsections (1) (c) and (f) of
15 this section shall be deposited in the emergency medical services fund
16 III created in section 56-1018B, Idaho Code; and

17 (b) Twenty-eight dollars (\$28.00) of each fee for a seasonal or class A,
18 B or C driver's license, and nineteen dollars and fifty cents (\$19.50)
19 of each fee charged for a license pursuant to subsection (1) (b) of this
20 section, and eight dollars and sixteen cents (\$8.16) of each fee charged
21 for a license pursuant to subsection (1) (c) of this section shall be
22 deposited in the state highway account; and

23 (c) Twenty dollars (\$20.00) of each fee for a class A, B or C instruction
24 permit or driver's license classification change shall be deposited in
25 the state highway account; and

26 (d) Four dollars (\$4.00) of each fee for a class A, B or C instruction
27 permit shall be deposited in the emergency medical services fund III
28 created in section 56-1018B, Idaho Code; and

29 (e) Ten dollars (\$10.00) of each fee for a duplicate seasonal or class
30 A, B or C driver's license, class A, B or C driver's license extension,
31 or additional endorsement shall be deposited in the state highway
32 account; and

33 (f) Seven dollars and fifty cents (\$7.50) of each fee for a motorcycle
34 endorsement and motorcycle endorsement instruction permit shall be
35 deposited in the state highway account; and

36 (g) Five dollars and thirty cents (\$5.30) of each fee for a four-year
37 class D driver's license, and ten dollars and sixty cents (\$10.60) of
38 each fee for an eight-year class D driver's license, and four dollars
39 (\$4.00) of each fee charged for a license pursuant to subsections (1) (d)
40 and (e) of this section, and one dollar and thirty-three cents (\$1.33)
41 of each fee charged for a license pursuant to subsection (1) (f) of this
42 section shall be deposited in the driver training fund; and

43 (h) Twelve dollars and seventy cents (\$12.70) of each fee for a
44 four-year class D driver's license, and twenty dollars and forty cents
45 (\$20.40) of each fee for an eight-year class D driver's license, and
46 ten dollars and fifty cents (\$10.50) of each fee charged for a license
47 pursuant to subsections (1) (d) and (e) of this section, and six dollars
48 and eighty-three cents (\$6.83) of each fee charged for a license
49 pursuant to subsection (1) (f) of this section shall be deposited in the
50 highway distribution fund; and

1 (i) Two dollars and sixty cents (\$2.60) of each fee for a class D
2 instruction permit, duplicate class D license or permit, and class D
3 license extension shall be deposited in the driver training fund; and

4 (j) Seven dollars and forty cents (\$7.40) of each fee for a class D
5 instruction permit, duplicate class D license or permit, and class D
6 license extension shall be deposited in the highway distribution fund;
7 and

8 (k) Ten dollars (\$10.00) of each fee for a class A, B or C skills test
9 shall be deposited in the state highway account; and

10 (l) One dollar (\$1.00) of each fee for a class A, B, C or four-year D
11 driver's license, and two dollars (\$2.00) of each fee for an eight-year
12 class D driver's license, and one dollar (\$1.00) of each fee charged for
13 a license pursuant to subsections (1) (b), (d) and (e) of this section,
14 and thirty-four cents (34¢) of each fee charged for a license pursuant
15 to subsections (1) (c) and (f) of this section shall be deposited in the
16 motorcycle safety program fund established in section 33-4904, Idaho
17 Code; and

18 (m) Six dollars and fifty cents (\$6.50) of each fee for a class D skills
19 test shall be deposited into the state highway account.

20 (9) The contractor administering a class A, B or C skills test shall
21 be entitled to not more than sixty dollars (\$60.00) of the skills test fee.
22 A contractor administering a class A, B or C skills test may collect an
23 additional fee for the use of the contractor's vehicle for the skills test.

24 (10) Sixty dollars (\$60.00) of each restricted driving permit and each
25 restricted school attendance driving permit shall be deposited in the state
26 highway account.

27 (11) The department may issue seasonal class B or C driver's licenses to
28 drivers who are employees of agri-chemical businesses, custom harvesters,
29 farm retail outlets and suppliers, and livestock feeders that:

30 (a) Will only be valid for driving commercial vehicles that normally
31 require class B or C commercial driver's licenses;

32 (b) Will be valid for seasonal periods that begin on the date of
33 issuance and that are not to exceed one hundred eighty (180) days in a
34 twelve (12) month period;

35 (c) May only be obtained twice in a driver's lifetime;

36 (d) Are valid only within a one hundred fifty (150) mile radius of the
37 place of business or farm being serviced; and

38 (e) Will be valid only in conjunction with valid Idaho class D driver's
39 licenses.

40 (12) The department may issue seasonal class B or C driver's licenses to
41 drivers who:

42 (a) Have not violated the single license provisions of applicable
43 federal regulations;

44 (b) Have not had any license suspensions, revocations or
45 cancellations;

46 (c) Have not had any convictions in any vehicle for any offense listed
47 in section 49-335(1) or (2), Idaho Code, or any one (1) serious traffic
48 offense;

49 (d) Have at least one (1) year of driving experience with a class D or
50 equivalent license in any type motor vehicle; and

1 (e) Are at least sixteen (16) years old.

2 SECTION 4. That Section 49-315, Idaho Code, be, and the same is hereby
3 amended to read as follows:

4 49-315. LICENSES ISSUED TO DRIVERS. (1) The department shall issue
5 to every qualifying applicant a distinguishing driver's license as applied
6 for, which shall bear a distinguishing number assigned to the licensee, the
7 full name, date of birth, Idaho residence address, sex, weight, height, eye
8 color, hair color, color photograph, name of this state, date of issuance,
9 date of expiration, license class, endorsements, restrictions, and the
10 applicant's signature. If an applicant has submitted an application
11 pursuant to the provisions of chapter 58, title 19, Idaho Code, then the
12 applicant's driver's license shall contain his or her alternative Idaho
13 mailing address in place of his or her Idaho residence address. Driver's
14 licenses for persons under eighteen (18) years of age shall include a
15 notation "under 18 until (month, day, year)," and driver's licenses for
16 persons eighteen (18) years of age to twenty-one (21) years of age shall
17 include a notation "under 21 until (month, day, year)." No driver's license
18 shall be valid until it has been signed on the signature line of the license
19 by the licensee.

20 (2) Every driver's license shall bear a color photograph of the
21 licensee, which shall be taken by the examiner at the time the application
22 is made. The photograph shall be taken without headgear or other clothing
23 or device that disguises or otherwise conceals the face or head of the
24 applicant. A waiver may be granted by the department allowing the applicant
25 to wear headgear or other head covering for medical, religious or safety
26 purposes so long as the face is not disguised or otherwise concealed. At
27 the request of the applicant, a driver's license may contain a statement or
28 indication of the medical condition of the licensee.

29 (3) The department shall notify the commercial driver license
30 information system that a class A, B or C driver's license has been issued as
31 required by 49 CFR parts 383 and 384.

32 (4) A licensee applying for a hazardous material endorsement on a
33 driver's license shall have a security background records check and shall
34 receive clearance from the federal transportation security administration
35 before the endorsement can be issued, renewed or transferred as required
36 by 49 CFR part 383, subject to procedures established by the federal
37 transportation security administration.

38 (5) A licensee who desires to donate any or all organs or tissue in the
39 event of death, and who has completed a document of gift pursuant to the
40 provisions for donation of anatomical gifts as set forth in chapter 34, title
41 39, Idaho Code, may, at the option of the donor, indicate this desire on the
42 driver's license by the imprinting of the word "donor" on the license. The
43 provisions of this subsection shall apply to licensees sixteen (16) years
44 of age or older but less than eighteen (18) years of age if the requirements
45 provided in chapter 34, title 39, Idaho Code, have been complied with and the
46 donor indicates this desire be placed on the license.

47 (6) A licensee who is a person with a permanent disability may
48 request that the notation "permanently disabled" be imprinted on the
49 driver's license, provided the licensee presents written certification

1 from a licensed physician verifying that the licensee's stated impairment
2 qualifies as a permanent disability according to the provisions of section
3 49-117, Idaho Code.

4 SECTION 5. That Section 49-401B, Idaho Code, be, and the same is hereby
5 amended to read as follows:

6 49-401B. APPLICATION FOR REGISTRATION -- RECEIPT FOR FEE -- RECORD OF
7 APPLICANTS. (1) Application for the registration of a vehicle required to
8 be registered under the provisions of section 49-401A, Idaho Code, shall
9 be made to the assessor or the department as specified in that section, by
10 the owner upon the appropriate form. Every application shall contain the
11 owner's Idaho driver's license number, Idaho identification card number,
12 or social security number. In the case of a business, the employer tax
13 identification number is required. Every application shall also contain
14 the owner's true and full legal name. In the event that the owner does
15 not possess a social security number, Idaho driver's license number,
16 or Idaho identification card number, the owner shall present written
17 documentation sufficient to the department to determine that no social
18 security number has been issued. Such application must be signed by the
19 owner and contain his residence address and a brief description of the
20 vehicle to be registered, including the name of the maker, the type of
21 fuel used, and the identification number. If an applicant has submitted
22 an application pursuant to the provisions of chapter 58, title 19, Idaho
23 Code, then the applicant may state, in the application required pursuant to
24 this section, the applicant's alternative Idaho mailing address in place
25 of his or her residence address. Upon registration of a new vehicle, the
26 application shall also show the date of sale by the manufacturer or dealer
27 to the person first operating such vehicle. The application shall contain
28 any other information as may be required by the department. The assessor
29 shall issue to the applicant a receipt for any fee paid. Social security
30 numbers collected shall not appear on certificates of registration, and all
31 applications on file shall be exempt from disclosure, except as provided in
32 sections 49-202, 49-203 and 49-203A, Idaho Code.

33 (2) The assessor shall record on a form prescribed and furnished by the
34 department, the names of all owners of vehicles residing in the county who
35 make application for registration, together with the amounts of the fees
36 paid by such owners.

37 (3) When application for registration is made by any motor carrier, the
38 assessor or the department shall require each such applicant to execute a
39 certification of safety compliance.

40 (4) Vehicles registered under the proportional registration
41 provisions of section 49-435, Idaho Code, shall be registered by the
42 department.

43 (5) Every owner of a vehicle registered by a county assessor shall give
44 his physical domicile residence address or the business' physical principal
45 address to the assessor so that the proper county can be entered upon the
46 registration. Failure to do so shall be unlawful. The department shall then
47 attribute the registration, and all fees to be apportioned to the highway
48 distribution account, to the county of residence regardless of the county
49 in which the registration occurred. Fees imposed under the provisions of

1 sections 40-827 and 40-1416, Idaho Code, shall be separately identified and
2 accounted for, and paid to the highway district for which collected. For
3 the purposes of vehicle registration, a person is an actual and permanent
4 resident of the county in which he has his principal residence or domicile. A
5 principal residence or domicile shall not be a person's workplace, vacation,
6 or part-time residence.

7 (6) A violation of the provisions of this section shall be an
8 infraction.

9 SECTION 6. That Section 49-504, Idaho Code, be, and the same is hereby
10 amended to read as follows:

11 49-504. APPLICATIONS TO DEPARTMENT FOR CERTIFICATES -- PROCEDURE --
12 IDENTIFICATION NUMBERS. (1) Application for a certificate of title shall be
13 made upon a form furnished by the department and shall contain the owner's
14 Idaho driver's license number, Idaho identification card number or social
15 security number. In the case of a business, the employer tax identification
16 number is required. Every application shall also contain the owner's true
17 and full legal name. In the event that the owner does not possess a social
18 security number, Idaho driver's license number, or Idaho identification
19 card number, the owner shall present written documentation sufficient
20 to the department to determine that no social security number has been
21 issued. The form must contain the owner's physical domicile address or
22 in the case of a business, the business' physical address and any mailing
23 address if different from the physical address. If the owner has submitted
24 an application pursuant to the provisions of chapter 58, title 19, Idaho
25 Code, then the owner may state, in the application required pursuant to
26 this section, the applicant's alternative Idaho mailing address in place
27 of his or her physical domicile address. Such application must be signed
28 by the owner and contain a full description of the vehicle including the
29 make, identification numbers, and the odometer reading at the time of sale or
30 transfer, and whether the vehicle is new or used, together with a statement
31 of the applicant's title and of any liens or encumbrances upon the vehicle,
32 and the name and address of the person to whom the certificate of title shall
33 be delivered, and any other information as the department may require. The
34 application shall be filed with the department, and if a certificate of
35 title has previously been issued for that vehicle in this state, shall be
36 accompanied by the certificate of title duly assigned, unless otherwise
37 provided for in this chapter. The department may promulgate rules to
38 provide for exceptions to the odometer requirement. Social security numbers
39 collected shall not appear on certificates of title and all applications on
40 file shall be exempt from disclosure, except as provided in sections 49-202,
41 49-203 and 49-203A, Idaho Code.

42 (2) If a certificate of title has not previously been issued for the
43 vehicle in this state, the application, unless otherwise provided for
44 in this chapter, shall be accompanied by a proper bill of sale or a duly
45 certified copy thereof, or by a certificate of title, bill of sale or other
46 evidence of ownership required by the law of any other state from which the
47 vehicle was brought into this state, and a vehicle identification number
48 inspection completed by any city, county or state peace officer or other
49 special agent authorized by the department.

1 (3) In the case of a new vehicle being titled for the first time, no
2 certificate of title or registration shall be issued unless the application
3 is indorsed by a franchised new vehicle dealer licensed to sell a new
4 vehicle. Each application shall be accompanied by a manufacturer's
5 certificate of origin or manufacturer's statement of origin executed by the
6 manufacturer and delivered to his agent or his franchised vehicle dealer.
7 The certificate or statement of origin shall be in a form prescribed by the
8 board and shall contain the year of manufacture or the model year of the
9 vehicle, the manufacturer's vehicle identification number, the name of the
10 manufacturer, the number of cylinders, a general description of the body,
11 if any, and the type or model. Upon sale of a new vehicle, the manufacturer,
12 his agent or franchised dealer shall execute and deliver to the purchaser
13 an assignment of the certificate or statement, together with any lien or
14 encumbrance to which the vehicle is subject.

15 (4) The department shall retain the evidence of title presented by the
16 applicant and on which the certificate of title is issued. The department
17 shall maintain an identification numbers index of registered vehicles, and
18 upon receiving an application for a certificate of title, shall first check
19 the identification number shown in the application against the index. The
20 department, when satisfied that the applicant is the owner of the vehicle and
21 that the application is in proper form, shall issue in the name of the owner
22 of the vehicle a certificate of title bearing a title number, the date issued
23 and a description of the vehicle as determined by the department, together
24 with a statement of the owner's title and of all liens or encumbrances upon
25 the vehicle, and whether possession is held by the owner under a lease,
26 contract or conditional sale, or other like agreement.

27 (5) In all cases of transfer of vehicles the application for
28 certificates of title shall be filed within thirty (30) calendar days
29 after the delivery of the vehicles. Licensed dealers need not apply for
30 certificate of title for vehicles in stock or when they are acquired for
31 stock purposes.

32 (6) In the case of the sale of a vehicle by a dealer to a general
33 purchaser or user, the certificate of title shall be obtained in the name
34 of the purchaser by the dealer upon application signed by the purchaser.
35 If a lien is to be recorded, the title documentation as required in this
36 section shall be submitted to the department by the dealer or the lienholder
37 upon application signed by the purchaser. A copy of this application
38 shall be given to the purchaser to be used as a seventy-two (72) hour
39 temporary permit. In all other cases the certificates shall be obtained
40 by the purchaser and the seller's bill of sale shall serve as a seventy-two
41 (72) hour permit. The seventy-two (72) hour time period for temporary
42 permits shall be calculated excluding weekend days and legal holidays
43 observed by the state of Idaho. This temporary permit allows operation
44 of any noncommercial vehicle or unladen commercial vehicle or vehicle
45 combination without license plates for the period of time specified in
46 the permit. A laden commercial vehicle or vehicle combination may also
47 operate without license plates for the period of time specified in the
48 temporary permit provided that the owner or operator has also obtained a
49 permit issued under the provisions of section 49-432, Idaho Code.

1 (7) If the vehicle has no identification number, then the department
2 shall designate an identification number for that vehicle at the time of
3 issuance of the certificate of title. The identification number shall be
4 permanently affixed to or indented upon the frame of the vehicle and legibly
5 maintained by the owner at all times while a certificate of title to the
6 vehicle shall be issued and outstanding.

7 SECTION 7. That Section 49-2444, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 49-2444. IDENTIFICATION CARD ISSUED -- FOUR-YEAR OR EIGHT-YEAR. (1)
10 The department shall issue a distinguishing identification card which
11 shall set forth the information contained in the application, in a form as
12 prescribed by the department. All identification cards issued on or after
13 January 1, 1993, shall not contain the applicant's social security number.
14 An applicant's social security number shall be exempt from disclosure
15 except for inquiries from agencies or institutions authorized to obtain
16 such information by federal law or regulation, from peace officers or from
17 jury commissioners. Each card shall have printed on it the applicant's
18 full name, date of birth, Idaho residence address, sex, weight, height, eye
19 color, hair color, and shall be issued a distinguishing number assigned to
20 the applicant. If an applicant has submitted an application pursuant to
21 the provisions of chapter 58, title 19, Idaho Code, then the applicant's
22 identification card shall contain his or her alternative Idaho mailing
23 address in place of his or her Idaho residence address. Each card shall also
24 have printed on it the name of this state, the date of issuance, and the date
25 of expiration. An identification card shall not be valid until it has been
26 signed on the signature line by the applicant. Each card shall bear upon it
27 a color photograph of the applicant which shall be taken by the examiner at
28 the time of application. The photograph shall be taken without headgear or
29 other clothing or device that disguises or otherwise conceals the face or
30 head of the applicant. A waiver may be granted by the department allowing the
31 applicant to wear headgear or other head covering for medical, religious or
32 safety purposes so long as the face is not disguised or otherwise concealed.
33 At the request of the applicant, an identification card may contain a
34 statement or indication of the medical condition of the applicant.

35 No person shall receive an identification card unless and until he
36 surrenders to the department all identification cards in his possession
37 issued to him by Idaho or any other jurisdiction, or any driver's license
38 issued by any other jurisdiction within the United States, or until he
39 executes an affidavit that he does not possess an identification card or any
40 driver's license.

41 Identification cards issued to persons under eighteen (18) years of
42 age shall include a notation "under 18 until (month, day, year)," and
43 identification cards issued to persons eighteen (18) years of age to
44 twenty-one (21) years of age shall include a notation "under 21 until (month,
45 day, year)." The nonrefundable fee for a four-year identification card
46 issued to persons twenty-one (21) years of age or older shall be ten dollars
47 (\$10.00) of which five dollars (\$5.00) shall be retained by the county and
48 credited to the current expense fund, and five dollars (\$5.00) shall be
49 deposited in the state treasury to the credit of the highway distribution

1 account. The nonrefundable fee for identification cards issued to persons
2 under twenty-one (21) years of age shall be ten dollars (\$10.00), of which
3 five dollars (\$5.00) shall be retained by the county and credited to the
4 current expense fund, and five dollars (\$5.00) shall be deposited in the
5 state treasury to the credit of the highway distribution account. The
6 nonrefundable fee for an eight-year identification card shall be twenty
7 dollars (\$20.00) of which ten dollars (\$10.00) shall be retained by the
8 county and credited to the current expense fund, and ten dollars (\$10.00)
9 shall be deposited in the state treasury to the credit of the highway
10 distribution account. At the option of the applicant, the identification
11 card issued to a person twenty-one (21) years of age or older shall expire
12 either on the cardholder's birthday in the fourth year or the eighth year
13 following issuance of the card, except as otherwise provided in subsection
14 (3) of this section. Every identification card issued to a person under
15 eighteen (18) years of age shall expire five (5) days after the person's
16 eighteenth birthday, except as otherwise provided in subsection (3) of this
17 section. Every identification card issued to a person eighteen (18) years
18 of age but under twenty-one (21) years of age shall expire five (5) days
19 after the person's twenty-first birthday, except as otherwise provided in
20 subsection (3) of this section.

21 Individuals required to register in compliance with section 3 of the
22 federal military selective service act, 50 U.S.C. App. 451 et seq., as
23 amended, shall be provided an opportunity to fulfill such registration
24 requirements in conjunction with an application for an identification
25 card. Any registration information so supplied shall be transmitted by the
26 department to the selective service system.

27 (2) Every identification card, except those issued to persons under
28 twenty-one (21) years of age, shall be renewable on or before its expiration,
29 but not more than twelve (12) months before, and upon application and payment
30 of the required fee.

31 (3) Every identification card issued to a person who is not a citizen
32 or permanent legal resident of the United States shall have an expiration
33 date that is the same date as the end of lawful stay in the United States as
34 indicated on documents issued and verified by the department of homeland
35 security, provided however, that the expiration date shall not extend beyond
36 the expiration date for the same category of identification card issued to
37 citizens. Persons whose department of homeland security documents do not
38 state an expiration date shall be issued an identification card with an
39 expiration date of one (1) year from the date of issuance.

40 (4) When an identification card has been expired for less than twelve
41 (12) months, the renewal of the identification card shall start from the
42 original date of expiration regardless of the year in which the application
43 for renewal is made. If the identification card is expired for more than
44 twelve (12) months, the application shall expire, at the option of the
45 applicant, on the applicant's birthday in the fourth year or the eighth
46 year following reissuance of the identification card, except as otherwise
47 provided in subsection (3) of this section.

48 (5) A person possessing an identification card who desires to donate
49 any or all organs or tissue in the event of death, and who has completed a
50 document of gift pursuant to the provisions for donation of anatomical gifts

1 as set forth in chapter 34, title 39, Idaho Code, may, at the option of the
2 donor, indicate this desire on the identification card by the imprinting
3 of the word "donor" on the identification card. The provisions of this
4 subsection shall apply to persons possessing an identification card who are
5 sixteen (16) years of age or older but less than eighteen (18) years of age
6 if the requirements provided in chapter 34, title 39, Idaho Code, have been
7 complied with.

8 (6) A person possessing an identification card or an applicant for an
9 identification card who is a person with a permanent disability may request
10 that the notation "permanently disabled" be imprinted on the identification
11 card, provided the person presents written certification from a licensed
12 physician verifying that the person's stated impairment qualifies as a
13 permanent disability according to the provisions of section 49-117, Idaho
14 Code.

15 (7) In the case of a name change, the applicant shall provide legal
16 documentation to verify the change in accordance with department rules.

17 (8) Whenever any person, after applying for or receiving an
18 identification card, shall move from the address shown on the application or
19 on the identification card issued, that person shall, within thirty (30)
20 days, notify the transportation department in writing of the old and new
21 addresses.

22 (9) The department shall cancel any identification card upon
23 determining that the person was not entitled to the issuance of the
24 identification card, or that the person failed to give the required and
25 correct information in his application or committed fraud in making the
26 application. Upon cancellation, the person shall surrender the canceled
27 identification card to the department.

28 (10) If any person shall fail to return to the department the
29 identification card as required, the department may direct any peace
30 officer to secure its possession and return the identification card to the
31 department.

32 (11) The department may issue a no-fee identification card to an
33 individual whose driver's license has been canceled and voluntarily
34 surrendered as provided in section 49-322(4), Idaho Code. The
35 identification card may be renewed at no cost to the applicant as long as the
36 driver's license remains canceled.

37 (12) It is an infraction for any person to fail to notify the department
38 of a change of address as required by the provisions of subsection (8) of this
39 section.

40 SECTION 8. This act shall be in full force and effect on and after
41 January 1, 2011.